

THE
ENGAGEMENT
Vindicated & Explained,
OR THE
REASONS

Upon which
Leicut. Col. John Lilburne
cooke the Engagement.

Published by a Well-wisher to the present Authority, on purpose to satisfie scrupulous minds in the lawfulnessse of taking the said Engagement.

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The Publisher to the Reader.

Courteous Reader,

UNderstanding that this following Epistle was pened by Mr. Lilburne, to be sent to Alderman Tichburn the speedy ejection of whom out of the Office of a Common-Counsel-man, by the means of the said Alderman prevented it seemeth, the seeing of it; but a Copy of it accidentally coming to my hand, I thought good for the publick benefit, to present it to the publike view; that so Scrupulous minds may receive satisfaction by it, to take the said Engagement.





CERTAINE

REASONS

Wherefore Lieut. Col.

JOHN LILBURNE

tooke the present

ENGAGEMENT.

SIR,

Being a Freeman of *London* of about tenne yeares standing, and having for some time Resolved, upon *Fryday* last of late to live within the City; in order to which, I really took such a lodging as by the possession of which (till I can get one more convenient for my family) as both in the Eye of Law, Reason and Custome, may intitle and denominate me; to be an Inhabitant in that Ward; where, and for which at present, you are particularly Alderman; and having eaten, and drank, and lodged in my new habitation, I was upon *Fryday* morning last by your publique Beadle, warned as an Inhabitant of your Ward, to be at *Blew-coats* Hall in *Christs Church* at the Ward-mote; where by the affection of diverse Inhabitants, I was put in nomination for the year ensuing to be one of their *Common Council*; and when the question was put for me according to your custome, I withdrew, and afterwards found, that my election by majority of hands was clear, without all mannet of dispute; whereupon according to the Act you tendered me the *New Engagement* in these words, I doe Declare and promise, that I will be true and faithfull to

the *Common-wealth* of England, as the same is now establiſhed, without a King or House of Lords.

Sir, You may please to remember that I told you, I could easily and freely subscribe it, provided, in regard I had formerly been very scrupulous, in taking any *Engagements* at all made by the *Parliament*, and had formerly very much opposed their *Engagements* and *Covenants*; and therefore to avoid that scandal that might redound to my reputation, by signing the *present Engagement*, without declaring before all the people there present, the grounds of my so doing; and therefore I intreated you to let me speak a few words to them, promising you to be very faire and moderate; but you answered me, it was not the business of the day; but the people crying out, heare him, hear him, you were pleased to let me go on a little; but being not well pleased with what I said, you finally stopt me, whereupon I was necessitated to tell you, that seeing you would not let me speak my mind, I must be necessitated to write it to you, which thus followeth.

Sir, I am an *Englishman* by Birth & Breeding, & therefore have inherent in me an affection, an obligation or tye of respect unto it the Land of my nativity; but by signing this *Engagement*, I become solemnly and seriously ingaged and bound by a speciall tye, to performe that which before was a duty at large, or at randome upon me; for by the *Common-wealth* of England in the *Engagement* mentioned, I can understand nothing else to be meant, but one of these two things, or else both of them conjoynd.

First, By the *Common-wealth* I understand all the good & legall People of England to be meant. And this I do conceive the rather, because the *Engagement-makers* have voted & declared them to be the Sovereign or true Fountain of all just power amongst men, and to them by Gods Assistance I will be true and faithfull. Or secondly, By the *Common-wealth* of England I understand the essentiall and fundamentall

damental Government of *England*, as it is now established,
 which I conceive principally to consist in 3. particulars.
 The first of which is annuall and successive *Parliaments*,
 which is the Peoples essential right to injoy, as is declared
 by 3. severall Acts of *Parliament*, now in force and unre-
 pealed, viz. 4. *Eliz. chap. 14.* and 36. *Eliz. chap. 10.* Both
 which are confirmed by the Act of the 16. of the late *King*,
 intituled, *an Act for the preventing of inconveniences, hap-*
pening by the long intermission of Parliaments; which Acts
 are strongly backt to be the Peoples undubitable Right, by
 severall *Parliament-Declarations*: as particularly the *Par-*
liaments grand and first *Remonstrance* of the 15. of *Decemb.*
 1641. 1 part. book declar. pag. 17. and there declared, of
 the 2. of *Novemb.* 1642. 1 part. book declar. pag. 702. 709.
 See also the 4. part. *Cooks instit.* fol. 9. 11. 42. published
 by the *Parliament*; yea and in the Charge against the late
King, in the first branch thereof: the said frequent and suc-
 cessive *Parliaments* is owned and declared to be the foun-
 dation of the Government of this Nation, and of all the
 peoples Liberties, the violation of which is agravated to the
King against him, by his prosecutor Mr. *John Cook*, in his
 case stated pag. 7. 11. 14. 17. 18. 20. And also by the Presi-
 dent of the *High Court of Justice*, in his last Speech against
 the *King*, the 27. of *Jan.* 1648. pag. 11. And in the very
 beginning of both the Acts of Treason, upon which I my
 self was lately Arraigned, which bears date the 14. of *May*
 and the 17. of *July* 1648, the substance of all fore-going is
 confirmed; for it is there declared, that the people shall for
 the future be governed by its own *Representatives*, or Na-
 tionall meetings in Counsel, chosen and intrusted by them
 for that purpose; so that annuall & successive *Parliaments*
 or *Representatives* is fully owned, and Declared to be the
 prime, or chief foundation of the Government of this Na-
 tion, unto which by the strength of God I will be true.

The second main essentiall of the Government of this
 Nation

Nation, is Tryall by Juries of good and Legall men of the Neighbourhood; which manner of Tryall, being far more ancient then the conquest, I Love and Honour, and by Gods blessing will be true to it.

The third main esenciall of the Government of this Nation is, that no man shall be dispossed of his life, limb, liberty or estate, but by due proceffe of Law; as it is more at large (with that just and equitable Tryall by Juries) contained in the *ch. 29. of Magna Charta* and the *Petition of Right*; both of which, are every branch of them fully confirmed by the Act that abolisheth the *Star-Chamber*, and the Act that nuls *Ship-mony*, both of them made in the 17. of the late King; all of which are backt with two severall late Declarations dated the 9. of *February*, and the 17. of *March* 1648. In both which, it is fully and particularly declared, that the fore-mentioned things, and the prime esenciall and principall foundations of the Government of this Nation; which good old Lawes & Customes they (there) call the badges of our freedom, the benefit of which our Ancestors (say they) enjoyed before the Conquest or *Norman-slavery*, and spent much of their blood, to have conformed by the *Great Charter* of the Liberties of *England*, and other exelent Lawes which have continued in all former changes, and being duly executed, are the most just, free and equall of any other Lawes in the World, and they there spend many Arguments, to illustrate the equitableness, justnesse and excilency of them, and also there solemnly Declare, that really and in good earnest they will maintaine, preserve, keep and uphold the said fundamentall Laws of this Nation, for & concerning the preservation of the lives, properties & Liberties of the People, with all things incident, appertaining and belonging thereunto; as they are laid down in that exelent Law of the *Petition of Right*, as they themselves there call it; unto al which, by the assistance of the Almighty, I will be true to.

Now

Now, having affirmatively Declared what I conceive by the Common-Wealth of *England*, I am necessitated in the second place in the Negative to Declare, that by the Common-Wealth of *England*, I do not in the least vnderstand it to be meant abstract, or individually of the present *Parl.* Counsel of STATE, OR COUNCEL of the ARMY, or all of them conjoynd, my Reasons are; First- Because the Members of the 3. said Countells take it as well as any others, and therefore it is not abstract to themselves that they take the *Engagement* to be true to; for it is incongruous in reason, for a man to take an *Engagement* to be true to himself, because there is inherent in him, an inbred tye or bond which is one with him, that tyes and binds him in a more nigher relation to be true to himself then all outward and visible *Engagements* can compell him to be, and to tender a man an *ENGAGEMENT* to be true to himselfe, would argue, he were judged to be void of anaturall affection to himself, which in reason no man in his right understanding can be supposed to be, & though the people were compelled to take the Oath of allegiance to be true to the KING; yet that Oath was never compell'd upon him to take to be true to himself.

2. The *Engagement-makers* own a higher power then themselves; for their own words in the very beginning of the foresaid *Declaration* of the 17. of *March*, 1648. are thus, the *Parliament* of *England* elected by the People whom they represent, and by them trusted and authorized for the common good, and in the same *Declaration*, pag. 27. they have these words, viz. the managing of the affaires, and ordering the Government of this *Common-wealth*, and matters in order thereunto, with which they are intrusted and authorized by the consent of all the People thereof, whose *Representatives* by election they are, so that here is a clean confession of two things, viz.

First, That themselves are not the *Common-wealth* in the *Engagement* named.

Secondly,

Secondly, That they are not *Supream*, but *subordinate*, being at most but *Trustees*, who by vertue thereof, can rightfully make no *ENGAGEMENT* for me to take absolutely, but onely conditionally, to be true to them as far as they are true to their trust; the main ends of which are before in their own words declared, and therefore I took not the *Engagement* in any sense as apprehending them abstracto to be meant by the *Commonwealth* therein named. And so much at present for the first part of it.

Lastly, As for that part without a *King* or House of *Lords*, for my part I say Government it self is from God or the prime Lawes of nature, without which by reason of mans corruption by the fall, he cannot live as a rational Creature, and the forenamed things are to me the essentialls of the established Government of *England*, and were so reputed before the Conquest; but as for the formes of Government, I for my part look upon none *judiciall* or *divine*. And therefore shall to the utmost of my power as by the *Engagement* I am bound, oppose as far as in me lies, all manner of persons by what names or Titles soever they be dignified and distinguished, that shall by their own wills seeke to obtrude all or any of those hurtfull arbitrary Prerogatives, that the late *King* or House of *Lords* assumed to them, it being not so much Titles as tyrannous, or arbitrary actions that make the people miserable. That Creature being saith *John Cooke* in the *Kings* case state page 8. that Rules by lust and not by Law; nor of God making nor approbation, but onely his permission, as in page 22. he further saith, Will and Conquest make a Title amongst *Wolves* and *Beares*, but not amongst men. So with my respect tendered to you, I take leave to subscribe my self, yours, as farre as you are truly the
COMMONWEALTHS.

December, 1649.

FINIS.

JOHN LILBURN.